

DELPHI

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In re Delphi Corporation, et al., Case No. 05-44481 (RDD) Jointly Administered
United States Bankruptcy Court, Southern District of New York (<http://www.nysb.uscourts.gov>)

- **Attention: On March 4, 2009, Delphi filed a motion to approve the Fourth and Fifth Amendments to the GM Arrangement to provide for, among other things, an increase of the amounts available under the GM Arrangement from \$300 million to \$450 million, subject to certain terms and conditions. The motion is scheduled to be heard on March 24, 2009 at 10:00 a.m. (prevailing Eastern time). For a copy of the GM Arrangement Fourth and Fifth Amendment Approval Motion click [here](#). For a copy of the proposed order granting the GM Arrangement Fourth and Fifth Amendment Approval Motion click [here](#).**

The GM Arrangement was originally approved on April 30, 2008 as part of the Second DIP Extension Order. On September 26, 2008, the Bankruptcy Court entered an order approving a first amendment to the GM Arrangement pursuant to which GM agreed to make available to the Debtors an additional \$300 million in advances. On December 3, 2008, the Bankruptcy Court entered an order approving (i) a second amendment to the GM Arrangement that extended the availability of liquidity support under the GM Arrangement from December 31, 2008 to June 30, 2009 and (ii) Delphi's entry into a Partial Temporary Accelerated Payment Agreement with GM, which provided for GM to accelerate the payment of up to \$300 million in trade accounts payable to Delphi. On February 25, 2009, the Bankruptcy Court entered an order approving a third amendment to the GM Arrangement and a first amendment to the Partial Temporary Accelerated Payments Agreement. Generally, these amendments (i) made technical adjustments to the GM Arrangement to conform it to the amendments to the Accommodation Agreement that the Bankruptcy Court approved concurrently on February 25, 2009 and (ii) further accelerated \$100 million of GM trade accounts payable to Delphi. For a copy of the prior approval orders and the prior agreement and amendments, click here click [here](#).

- Attention: On March 3, 2009, Delphi and GM reached an option exercise agreement pursuant to which GM will exercise its option to purchase Delphi's Steering business, as contemplated under the Amended Master Restructuring Agreement between Delphi and GM dated September 12, 2008. On March 4, 2009, the Debtors filed a motion seeking authorization and approval of the option exercise agreement. For a copy of the motion, please click [here](#). For a copy of the proposed order, please click [here](#).
- Attention: On December 3, 2008, the Bankruptcy Court entered an order granting Delphi's motion for an order approving the Accommodation Agreement, which allows the Debtors, among other things, to continue using certain of the proceeds of the postpetition financing facility through June 30, 2009. For a copy of the order DIP Accommodation Order, click [here](#). For a copy of the Accommodation Motion, click [here](#).

On February 25, 2009, the Bankruptcy Court entered an order approving certain amendments to Delphi's Accommodation Agreement with its DIP lenders, which, among other things and subject to the continued satisfaction by Delphi of a number of covenants and conditions, allows Delphi to continue using the proceeds of its DIP credit facility until June 30, 2009 (or May 5, 2009 if Delphi does not achieve certain milestones in its reorganization cases). Generally, these amendments (a) provide for a new cash collateral basket of up to \$117 to be included in the Delphi's Accommodation Period borrowing base that may be released to the Debtors if certain conditions are met, (b) reset the EBITDAR covenant to take into account the current global economic and automotive environment, (c) reduce the liquidity covenant from \$100 million to \$50 million if certain conditions are met, and (d) reset certain of the milestone deadlines required under the Accommodation Agreement. For a copy of the Accommodation Amendment Order click [here](#). For a copy of the Accommodation Amendment Motion click [here](#).

- Attention: On February 25, 2009, the Bankruptcy Court entered an order provisionally approving Delphi's motion seeking to terminate certain health care and life insurance benefits for retirees ("OPEB ") after March 31, 2009. For a copy of the order, click [here](#). The Court also authorized Delphi to immediately begin the administrative process to implement these modifications. For a copy of Delphi's February 26, 2009 letter regarding the administrative process, click [here](#). The Bankruptcy Court also directed the United States Trustee to appoint a Retirees' Committee for the primary purpose of determining whether the Retirees' Committee can establish to the Court's satisfaction that any of the affected programs involve "vested" (or contractual) OPEB Benefits as opposed to "at will" (or discretionary, unvested) OPEB Benefits. For a copy of the US Trustee's Notice of Appointment including the identity of the members of the Retirees' Committee, click [here](#). The Retirees' Committee is represented by the following legal counsel:

Neil A. Goteiner
Dean M. Gloster
Nan E. Joesten
Farella Braun & Martel LLP
235 Montgomery St., 17th Floor
San Francisco, CA 94104
(415) 954-4400

Trent P. Cornell
Jon D. Cohen
Stahl Cowen Crowley Addis, LLC
55 W. Monroe St., Suite 1200
Chicago, IL 60603
(312) 641-0060

The Bankruptcy Court scheduled a hearing on March 11, 2009, at 10:00 a.m. (prevailing Eastern time) to finalize its provisional ruling unless the Retirees' Committee is able to establish that certain retirees should be excluded from the ruling because their benefits were "vested" (or contractual) benefits. In connection with the upcoming hearing, the Retirees' Committee has requested Delphi to convey the following information:

The Official Delphi Retirees' Committee has requested that all retirees (or employees receiving disability benefits) having documents in their possession from Delphi or General Motors that include language stating or implying that health insurance or life insurance benefits were "vested," or "lifetime" immediately forward them (in their entirety) to the Retiree Committee by sending in electronic format to delphiretirees@stahlcowen.com or mailing via Federal Express or other expedited delivery to:

The Official Delphi Retirees' Committee
c/o Trent Cornell
Stahl Cowen Crowley Addis, LLC
55 W. Monroe St., Suite 1200
Chicago, IL 60603
(312) 641-0060

■ **General Information:**

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On October 8, 2005, and subsequently October 14, 2005, the Debtors filed a voluntary petition for relief under Chapter 11 of the United States Bankruptcy Code (the "Bankruptcy Code"). The [forty-two Debtors](#) are being jointly administered under Delphi Corporation, Case No. 05-44481. The Bankruptcy Cases are pending before the Honorable Robert D. Drain, Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York.

Pursuant to the Bankruptcy Code (specifically including, but not limited to, 11 U.S.C. § 362), a debtor is afforded certain protection against its creditors; the Bankruptcy Code prohibits creditors from taking certain actions related to debts that may have been owing prior to the commencement of the Bankruptcy Cases. If you believe that you might be a creditor of the Debtors based upon debts arising prior to their respective filing dates, and you are considering taking action based upon your status as a creditor, you may wish to seek legal advice. The staff of the Clerk's Office of the Bankruptcy Court and the staff of Kurtzman Carson Consultants LLC are not permitted to give legal advice.

■ **Resources:**


Delphi Corporation Information	Contact Information										
<ul style="list-style-type: none">▪ Press Releases and Media Information▪ About Chapter 11▪ Supplier Information▪ Customer Information▪ Investor Information▪ Case Information	<table><tr><td>Delphi Legal Information Hotline:</td><td>Toll Free: (800) 718-5305</td></tr><tr><td></td><td>International: (248) 813-2698</td></tr><tr><td>Supplier Support Center:</td><td>Toll Free: (866) 688-8679</td></tr><tr><td></td><td>International: (248) 813-2601</td></tr><tr><td>Claims and Noticing Agent:</td><td>Toll Free: (888) 249-2691</td></tr></table>	Delphi Legal Information Hotline:	Toll Free: (800) 718-5305		International: (248) 813-2698	Supplier Support Center:	Toll Free: (866) 688-8679		International: (248) 813-2601	Claims and Noticing Agent:	Toll Free: (888) 249-2691
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Supplier Support Center:	Toll Free: (866) 688-8679										
	International: (248) 813-2601										
Claims and Noticing Agent:	Toll Free: (888) 249-2691										

■ **Meeting of Creditors:**

A meeting of creditors pursuant to section 341 of the Bankruptcy Code was conducted by the United States Trustee for the Southern District of the New York on February 3, 2006. At the conclusion of the meeting, the United States Trustee formally closed the meeting.

Please click [here](#) to view the presentation given by Delphi at the Section 341 Meeting of Creditors on February 3, 2006.

■ **Important Dates, Deadlines & Documents:** Some dates, deadlines and documents in the Debtors' Bankruptcy Cases that may be relevant to interested parties are set forth below:

Date of Filing	Pg 5 of 9 > PDFs of Voluntary Petitions	October 8 & 14, 2005
Bridge Order Hearing	> PDF of Notice of Hearing on Bridge Orders  > PDF of Bridge Orders	October 8, 2005 (4:00 p.m. EDT)
Hearing on First Day Motions	> PDF of Proposed Second Amended First Day Agenda 	October 11, 2005 (4:00 p.m. EDT)
First Omnibus Hearing	> Proposed First Omnibus Hearing Agenda  > PDFs of Orders approved October 27, 2005	October 27, 2005 (10:00 a.m. EDT)
Hearing for Adjourned Matters	> PDF of List of Adjourned Matters  > PDF of Proposed Hearing Agenda  > PDFs of Orders approved November 4, 2005	November 4, 2005 (10:00 a.m. EST)
Second Omnibus Hearing	> Proposed Second Omnibus Hearing Agenda  > PDFs of Orders approved November 29, 2005	November 29, 2005 (10:00 a.m. EST)
Third Omnibus Hearing	> Proposed Third Omnibus Hearing Agenda  > PDFs of Orders approved January 5, 2006	January 5, 2006 (10:00 a.m. EST)
Final Trading Order Notices	> Final Trading Order Notices in MS Word Format > Notice of Entry of Final Trading Order 	January 6, 2006
Meeting of Creditors	> PDF of Notice of Commencement 	February 3, 2006 (1:30 p.m. EST)
Fourth Omnibus Hearing	> Proposed Fourth Omnibus Hearing Agenda  > PDFs of Orders approved February 9, 2006	February 9, 2006 (10:00 a.m. EST)
Fifth Omnibus Hearing	> Proposed Fifth Omnibus Hearing Agenda  > PDFs of Orders approved March 9, 2006	March 9, 2006 (10:00 a.m. EST)
Sixth Omnibus Hearing	> Proposed Sixth Omnibus Hearing Agenda  > PDFs of Orders approved April 7, 2006	April 7, 2006 (10:00 a.m. EDT)
Seventh Omnibus Hearing	> Proposed Seventh Omnibus Hearing Agenda  > PDFs of Orders approved May 30, 2006	May 30, 2006 (11:00 a.m. EDT)
Eighth Omnibus Hearing	> Proposed Eighth Omnibus Hearing Agenda  > PDFs of Orders approved June 19, 2006	June 19, 2006 (10:00 a.m. EDT)
Ninth Omnibus Hearing	> Proposed Ninth Omnibus Hearing Agenda  > PDFs of Orders approved July 19, 2006	July 19, 2006 (10:00 a.m. EDT)
Deadline to File Proofs of Claim	> Bar Date Order 	July 31, 2006 (5:00 p.m. EDT)
Tenth Omnibus Hearing	> Proposed Tenth Omnibus Hearing Agenda  > PDFs of Orders approved August 17, 2006	August 17, 2006 (10:00 a.m. EDT)
Eleventh Omnibus Hearing	> Proposed Eleventh Omnibus Hearing Agenda  > PDFs of Orders approved September 14, 2006	September 14, 2006 (10:00 a.m. EDT)

Twelfth Omnibus Hearing	> Proposed Twelfth Omnibus Hearing Agenda  > PDFs of Orders approved October 19, 2006	October 19, 2006 (10:00 a.m. EDT)
Thirteenth Omnibus Hearing	> Proposed Thirteenth Omnibus Hearing Agenda  > PDFs of Orders approved November 30, 2006	November 30, 2006 (10:00 a.m. EST)
Fourteenth Omnibus Hearing	> Proposed Fourteenth Omnibus Hearing Agenda  > PDFs of Orders approved January 12, 2007	January 12, 2007 (10:00 a.m. EST)
Fifteenth Omnibus Hearing	> Proposed Fifteenth Omnibus Hearing Agenda  > PDFs of Orders approved February 15, 2007	February 15, 2007 (10:00 a.m. EST)
Sixteenth Omnibus Hearing	> Proposed Sixteenth Omnibus Hearing Agenda  > PDFs of Orders approved March 22, 2007	March 22, 2007 (10:00 a.m. EDT)
Seventeenth Omnibus Hearing	> Proposed Seventeenth Omnibus Hearing Agenda  > PDFs of Orders approved April 20, 2007	April 20, 2007 (10:00 a.m. EDT)
Eighteenth Omnibus Hearing	> Proposed Eighteenth Omnibus Hearing Agenda  > PDFs of Orders approved May 31, 2007	May 31, 2007 (10:00 a.m. EDT)
Nineteenth Omnibus Hearing	> Proposed Nineteenth Omnibus Hearing Agenda  > PDFs of Orders approved June 26, 2007	June 26, 2007 (10:00 a.m. EDT)
Twentieth Omnibus Hearing	> Proposed Twentieth Omnibus Hearing Agenda  > PDFs of Orders approved July 19, 2007	July 19, 2007 (10:00 a.m. EDT)
Twenty-First Omnibus Hearing	> Proposed Twenty-First Omnibus Hearing Agenda  > PDFs of Orders approved August 15, 2007	August 16, 2007 (10:00 a.m. EDT)
Twenty-Second Omnibus Hearing	> Proposed Twenty-Second Omnibus Hearing Agenda  > PDFs of Orders approved September 27, 2007	September 27, 2007 (10:00 a.m. EDT)
Twenty-Third Omnibus Hearing	> Proposed Twenty-Third Omnibus Hearing Agenda  > PDFs of Orders approved October 25, 2007	October 25, 2007 (10:00 a.m. EDT)
Twenty-Fourth Omnibus Hearing	> Proposed Twenty-Fourth Omnibus Hearing Agenda  > PDFs of Orders approved November 16, 2007	November 16, 2007 (10:00 a.m. EST)
Twenty-Fifth Omnibus Hearing	> Proposed Twenty-Fifth Omnibus Hearing Agenda  > PDFs of Orders approved November 29, 2007	November 29, 2007 (10:00 a.m. EST)
Disclosure Statement and Solicitation Procedures Hearing	> EPCA and Solicitation Procedures Motion Agenda 	December 6, 2007 (10:00 a.m. EST)
Twenty-Sixth Omnibus Hearing	> Proposed Twenty-Sixth Omnibus Hearing Agenda  > PDFs of Orders approved December 20, 2007	December 20, 2007 (10:00 a.m. EST)
Voting Deadline		January 11, 2008 (7:00 p.m. EST)
Confirmation Hearing	> Confirmation Hearing Notice  > Proposed Confirmation Hearing Agenda  > Confirmation Order 	January 17, 2008 (10:00 a.m. EST)

Twenty-Seventh Omnibus Hearing	> Proposed Twenty-Seventh Omnibus Hearing Agenda  > PDFs of Orders approved January 25, 2008	January 25, 2008 (10:00 a.m. EST)
Twenty-Eighth Omnibus Hearing	> Proposed Twenty-Eighth Omnibus Hearing Agenda  > PDFs of Orders approved February 21, 2008	February 21, 2008 (10:00 a.m. EST)
Twenty-Ninth Omnibus Hearing	> Proposed Twenty-Ninth Omnibus Hearing Agenda  > PDFs of Orders approved March 19, 2008	March 19, 2008 (10:00 a.m. EDT)
Thirtieth Omnibus Hearing	> Proposed Thirtieth Omnibus Hearing Agenda  > PDFs of Orders approved April 30, 2008	April 30, 2008 (10:00 a.m. EDT)
Thirty-First Omnibus Hearing	> Proposed Thirty-First Omnibus Hearing Agenda  > PDFs of Orders approved May 29, 2008	May 29, 2008 (10:00 a.m. EDT)
Thirty-Second Omnibus Hearing	> Proposed Thirty-Second Omnibus Hearing Agenda  > PDFs of Orders approved June 24, 2008	June 24, 2008 (10:00 a.m. EDT)
Thirty-Third Omnibus Hearing	> Proposed Thirty-Third Omnibus Hearing Agenda  > PDFs of Orders approved July 31, 2008	July 31, 2008 (10:00 a.m. EDT)
Thirty-Fourth Omnibus Hearing	> Proposed Thirty-Fourth Omnibus Hearing Agenda  > PDFs of Orders approved August 26, 2008 	August 26, 2008 (10:00 a.m. EDT)
Thirty-Fifth Omnibus Hearing	> Proposed Thirty-Fifth Omnibus Hearing Agenda  > PDFs of Orders approved September 23, 2008	September 23, 2008 (10:00 a.m. EDT)
Thirty-Sixth Omnibus Hearing	> Proposed Thirty-Sixth Omnibus Hearing Agenda  > PDFs of Orders approved October 23, 2008	October 23, 2008 (10:00 a.m. EDT)
Thirty-Seventh Omnibus Hearing	> Proposed Thirty-Seventh Omnibus Hearing Agenda  > PDFs of Orders approved November 24, 2008	November 24, 2008 (10:00 a.m. EST)
Thirty-Eighth Omnibus Hearing	> Proposed Thirty-Eighth Omnibus Hearing Agenda  > PDFs of Orders approved December 17, 2008	December 17, 2008 (10:00 a.m. EST)
Thirty-Ninth Omnibus Hearing	> Proposed Thirty-Ninth Omnibus Hearing Agenda  > PDFs of Orders approved January 27, 2009 	January 27, 2009 (10:00 a.m. EST)
Fortieth Omnibus Hearing	> Proposed Fortieth Omnibus Hearing Agenda  > PDFs of Orders approved February 24, 2009	February 24, 2009 (10:00 a.m. EST)
Forty-First Omnibus Hearing		March 24, 2009 (10:00 a.m. EDT)
Preliminary Plan Modification Hearing		March 24, 2009 (10:00 a.m. EDT)
Forty-Second Omnibus Hearing		April 23, 2009 (10:00 a.m. EDT)
Forty-Third Omnibus Hearing		May 21, 2009 (10:00 a.m. EDT)

■ Parties and Addresses:

Court Address	Location to File Proof(s) of Claim
United States Bankruptcy Court Southern District of New York One Bowling Green New York, NY 10004 T: 212-668-2870 http://www.nysb.uscourts.gov	United States Bankruptcy Court Delphi Corporation Claims Bowling Green Station, PO Box 5058 New York, NY 10274-5058 Please file proof(s) of claim, if any, via US Mail (at the address listed above) or in person, via courier, or via other hand delivery system (at the adjacent Court Address). Facsimile and other electronic delivery methods are not acceptable. You must file an originally executed proof of claim. If you would like a copy of your claim returned to you as proof of receipt, please enclose an additional copy and a self-addressed postage-paid envelope.
Attorneys' Addresses	
<u>Counsel for the Debtors</u> John Wm. Butler Jr., Partner John K. Lyons, Partner Ron E. Meisler, Partner Skadden, Arps, Slate, Meagher & Flom LLP 333 West Wacker Drive Suite 2100 Chicago, IL 60606 T: 800-718-5305 F: 312-407-0411 http://www.skadden.com	<u>Counsel for the Debtors</u> Kayalyn A. Marafioti, Partner Thomas J. Matz, Counsel Skadden, Arps, Slate, Meagher & Flom LLP Four Times Square New York, NY 10036 T: 800-718-5305 F: 212-735-2000 http://www.skadden.com
<u>Counsel to Creditors' Committee</u> Robert J. Rosenberg, Partner Latham & Watkins LLP 885 Third Avenue, Suite 1000 New York, NY 10022-4834	<u>United States Trustee</u> Brian S. Masumoto, Trial Attorney U.S. Department of Justice Office of the United States Trustee 33 Whitehall Street, 21st Floor New York, NY 10004-2111 T: 212-510-0500 F: 212-668-2255 http://www.usdoj.gov/ust/r02/

05-44481-rdd

T: 212-906-1200

F: 212-751-4864

[http://www.lw.](http://www.lw.com)

[com](http://www.lw.com)

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■ **Additional Links:**

Delphi Corporation <http://www.delphi.com>

- **Note:** Kurtzman Carson Consultants LLC ("KCC") maintains this website at the direction of Delphi Corporation. While KCC makes every attempt to assure the accuracy of the information contained herein, this website is not the website of the United States Bankruptcy Court and does not contain the complete, official record of the Bankruptcy Court. All documents filed with the Court are available for inspection at the United States Bankruptcy Court, Southern District of New York.